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FOURTH REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION IN THE CENTRAL AFRICAN REPUBLIC

I. INTRODUCTION

1. In my third report to the Security Council on the United Nations Mission in the Central African Republic (MINURCA), dated 18 December 1998 (S/1998/1203), I invited the Council to consider extending the mandate of MINURCA with its existing structure and overall strength until the presidential elections scheduled to take place in the latter half of 1999. However, in order to help address certain concerns raised by members of the Security Council, as well as to assess more closely the situation on the ground, I decided to send Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, as my Personal Envoy to the Central African Republic. I requested Mr. Annabi, in reinforcing the efforts of my Special Representative in the Central African Republic, Oluyemi Adeniji, to seek additional clarification and commitment from the Government of the Central African Republic in respect of a number of points arising from recent developments in and around the country.

II. DEVELOPMENTS SINCE MY REPORT OF 18 DECEMBER 1998

Aftermath of the legislative elections

2. As a result of the elections held on 22 November and 13 December 1998 for the 109 seats in the National Assembly, the ruling party and its allies, known collectively as the Mouvance Présidentielle, won 54 seats, while the coalition of opposition parties won 55 seats. However, in the period following the formal proclamation of the results by the Constitutional Court, one opposition legislator announced his support for the Mouvance Présidentielle, which thereupon claimed a majority in the Assembly and the right to the presidency and other key positions of the Assembly's Bureau.

3. The opposition parties reacted strongly to this development, walking out of the Assembly shortly after it convened on 4 January 1999. Roadblocks and barricades were set up in certain parts of the capital, Bangui, and MINURCA was placed on alert and increased its patrolling activity before calm was restored. Despite intensive consultations with the parties conducted by my Special Representative between 8 and 10 January, the impasse has persisted.

4. In the meantime, President Ange Félix Patassé has nominated as Prime Minister the former Finance Minister, Anicet Georges Dologuele, and the ruling party members of the National Assembly, acting after the walkout of the opposition members, have elected Appolinaire Dondon as President of the Assembly. Though the President initially announced the creation of a Government comprising 23 members, including four from the opposition, three of the opposition members have now left the Government and have been replaced by persons chosen by the President.

Implementation of the Bangui Agreements

5. In accordance with the Bangui Agreements, signed in January 1997, the Government of the Central African Republic committed itself to a number of reforms, of which the most important, concerning the restructuring of the armed forces and the adoption of measures to strengthen the economy, remain to be accomplished.

6. With the assistance and participation of MINURCA, a joint committee established by the Government has drawn up two draft bills and four draft decrees relating to the restructuring of the defence and security forces. As I indicated in my report of 18 December (paras. 24-26), these now await the approval of the National Assembly. It would also be important to ensure that the new security agencies created by presidential decree on 4 March 1998, the Special Force for the Defence of Republican Institutions (FORSDIR) and the Directorate-General for State Documentation (DGDE), do not assume security functions which ought to be assigned to the police or the gendarmerie.

7. I would recall the proposal I made in my previous report (para. 44) concerning the kind of assistance MINURCA could offer the Government in creating a national, multi-ethnic army whose size and activities would be in line with national budgetary capacity. I would stress that United Nations military personnel would neither engage in the military training of the personnel of the armed forces of the Central African Republic nor provide any form of operational assistance to them. These should remain bilateral functions. However, the United Nations can assist in the creation of a renovated armed force under civilian democratic control that is representative of the nation as a whole and administered efficiently. A small team of United Nations military experts would focus on providing managerial and organizational advice to the relevant officials of the Ministry of Defence of the Central African Republic in charge of the restructuring process. The objective would be to assist in laying the foundations for the sound management of the restructured armed forces. The United Nations could also facilitate the identification of suitable bilateral partners and coordinate the support of donors for such a process. The proposed team of experts, numbering not more than 20 to 25 persons, would be accommodated within the already established limits of the force.

8. The initiative I had in mind, should the Security Council agree, would therefore also complement and broadly conform with the assistance MINURCA is already providing to the police and gendarmerie of the Central African Republic. It should be recalled that the general aim of the 24 civilian police officers attached to MINURCA is to assist in the creation of a police force whose personnel and operations meet internationally accepted standards of policing in

democratic societies. In this effort, they need the continued assistance of donors willing to provide the technical resources required by the restructured police force and gendarmerie, as well as the maintenance of a reasonably stable and secure environment.

9. As I indicated in my report of 18 December, despite agreements on economic and financial reforms reached with the Bretton Woods institutions, the Government has not, so far, been able to meet a number of important obligations. These include the regular payment of salaries in order to avoid new accumulations of arrears, as well as the payment of pensions and student bourses; the privatization of public enterprises, including the oil company PETROCA; and the maintenance of government revenues at an acceptable level. As a result, the International Monetary Fund mission that visited the country in October 1998 was not in a position to recommend the release of the second allocation of 6 billion CFA francs under the Enhanced Structural Adjustment Facility Agreement signed on 22 July 1998. A follow-up visit scheduled for January 1999 has been postponed to 16 February since, as noted above, the National Assembly is not yet in a position to approve the budget.

Situation in the Democratic Republic of the Congo

10. In early January, heavy fighting broke out between the forces of President Kabila and Congolese rebels and their allies on the Congolese side of the Oubangui River, which forms the boundary between the Central African Republic and the Democratic Republic of the Congo. The fighting resulted in an influx of some 5,000 persons into the territory of the Central African Republic, about half of whom were registered as refugees by the Office of the United Nations High Commissioner for Refugees. Pursuant to a defence agreement between President Patassé and President Kabila, some 550 Congolese Government troops then transited through Bangui and across the river into Congolese territory. The opposition, stressing that the National Assembly has never ratified the defence agreement with the Democratic Republic of the Congo, has accused President Patassé of risking the involvement of the Central African Republic in the conflict across the border.

III. VISIT OF MY PERSONAL ENVOY

11. In the light of this situation, I requested my Personal Envoy to make the following points to the Government during his visit:

(a) The impasse surrounding the composition of the Bureau of the National Assembly should be resolved in a manner consistent with the spirit of national reconciliation required by the Bangui Agreements so as to ensure the constructive participation of the opposition in the work of the Assembly and the early adoption of a budget;

(b) Every effort should be made to implement the remaining provisions of the Bangui Agreements by moving forward resolutely on the restructuring of the armed forces, including the restriction of the activity of FORSDIR to exclude traditional police and gendarmerie functions;

(c) The Government should comply with the provisions of its agreements with the international financial institutions and should, in particular, ensure the regular payment of salaries, the rapid privatization of certain State enterprises and the maintenance of State revenues at a suitable level;

(d) The Central African Republic should on no account allow itself to be drawn into the conflict in the neighbouring Democratic Republic of the Congo. Such a development would place at risk the gains made so far in restoring a stable and secure environment in Bangui, place in doubt the ability of the United Nations to retain a peacekeeping mission in the Central African Republic and pose a potential threat to the safety of United Nations personnel.

12. During his visit to the Central African Republic from 19 to 23 January 1999, Mr. Annabi met with President Patassé, Prime Minister Dologuele, Defence Minister Pascal Kado and representatives of the Mouvance Présidentielle, as well as the main opposition figures, members of the diplomatic community and representatives of United Nations agencies and programmes represented in the Central African Republic. Mr. Annabi made it clear to his interlocutors that the response of the Security Council to my proposal to extend the mandate of MINURCA until the presidential elections would depend on concrete action which needs to be taken by the Government to address the concerns listed above.

13. In response to the points my Personal Envoy made on my behalf, the President and other interlocutors, stressing that they strongly supported the continued presence of MINURCA as being indispensable for the continued stability and security of the country, stated the following:

(a) The Government had tried to reach agreement with the opposition parties on the formation of a government. Four opposition members had initially been approached to serve as members, but three were then forced by their parties to resign. Despite these resignations, the Prime Minister had made every effort to form a government representative of all areas of the country. The President expressed regret that the opposition had not so far been prepared to participate in the work of the National Assembly and the election of its Bureau. He stressed that he remained open to a solution that would meet the interests of all concerned;

(b) The restructuring of the Central African Armed Forces (FACA) was highly desirable in order to ensure that it was fully representative of the nation. The lack of funds had so far made this goal very difficult to achieve, but the Government was prepared to work with MINURCA to move the process forward;

(c) The Prime Minister was well known and respected by the international financial institutions and would ensure that the Government met the obligations incumbent upon it as a result of the agreements reached with them;

(d) The Government had no intention of allowing the country to be involved in the Congolese conflict and did not believe their territory was at risk from the rebels there.

14. The President also stated his intention to conduct presidential elections on schedule before the end of the year and in full compliance with the relevant constitutional provisions. He indicated that the necessary preparations would be initiated shortly. The President again requested United Nations assistance in helping to prepare and monitor the elections.

15. In his discussion with President Patassé, recalling the letter addressed to me by the President, dated 8 January 1998 (S/1998/61, annex), containing a number of commitments he had undertaken at that time, Mr. Annabi indicated that it might be appropriate to send a further letter responding in precise terms to the current concerns of the international community regarding the peace process in the Central African Republic. On 23 January 1999, President Patassé handed to my Personal Envoy a letter which is contained in the annex to the present report.

IV. ACTION EXPECTED FROM THE GOVERNMENT

16. In his letter, President Patassé made a number of detailed commitments arising from the Bangui Agreements and in line with the concerns expressed by my Personal Envoy and the international financial institutions. I have since urged the President to adhere in a timely manner to the commitments he made in the letter. Satisfactory action in this regard would lead within a short time to the following outcomes:

(a) The participation of the opposition, in a constructive manner, in the National Assembly and its Bureau and in the political life of the country in general;

(b) The adoption by the National Assembly, at an early date, of a budget satisfactory to the international financial institutions before their visit scheduled to take place in February;

(c) The adoption of the draft laws on the restructuring of the armed forces by the National Assembly at an early date and the approval by the President of the related draft decrees;

(d) The restriction of the activities of FORSDIR to exclude the functions of the police and gendarmerie and the verification by MINURCA of the measures taken by the authorities to that end;

(e) The finalization of measures to privatize state enterprises, particularly PETROCA, within the next few weeks.

V. CONCLUSIONS AND RECOMMENDATIONS

17. MINURCA has been and remains a source of much-needed stability, both in the Central African Republic and in the subregion as a whole. All his Central African interlocutors, as well as the diplomatic community and United Nations agency personnel, confirmed to my Personal Envoy that the withdrawal of MINURCA

would seriously jeopardize the progress made so far in normalizing life in the Central African Republic.

18. The deployment of MINURCA was just one of the steps taken by the international community to help the Central African Republic. At the same time, the international financial institutions have also provided assistance. The premature withdrawal of international support in any of the key areas could easily undermine and even reverse the fragile progress made so far. I therefore remain convinced that MINURCA should continue to support efforts to resolve the political, economic and security-related problems facing the country and, to that end, should stay in the Central African Republic until the forthcoming presidential elections. Indeed, MINURCA should assist the Government in preparing and establishing a secure environment for the elections and should monitor and verify their conduct. Only thus can the international community complete the work to which the United Nations and donor countries have committed so much effort since last April.

19. To that end, the military component of MINURCA should be retained at its current strength, on the basis of the considerations outlined in my previous report (para. 50). While the security situation in Bangui is generally calm at the moment, the current stability is in large part the result of the presence and activities of MINURCA. The reduction of the force would send the wrong signal and would risk undermining the stability the United Nations has worked hard to restore.

20. The Government's commitment to carry out a number of necessary reforms is an indispensable condition for further progress. I welcome the above-mentioned letter addressed to me by President Patassé (see annex), which responds to most of the points made to him by my Personal Envoy during his recent visit. It is now imperative that the President's commitments be translated into concrete measures.

21. In order to facilitate a continuing close review of the situation, the Security Council may wish to decide on an initial extension of the MINURCA mandate for a period of six months, until 31 August 1999, subject to a further determination by the Security Council after three months that the Government has made acceptable progress in carrying out the reforms outlined in President Patassé's letter. During that period, in order to assist the Council in assessing adherence to the commitments made by the Government, I would propose to submit an initial report by 15 April 1999, followed by further reports, every six to eight weeks, or when required, thereafter analysing the effectiveness and timeliness of any steps that had been taken. I would also keep the Council fully informed, as necessary, of any other significant developments affecting the security and stability of the Central African Republic and the safety of the MINURCA mission.

Annex

[Original: French]

Letter dated 23 January 1999 from the President of the Central African Republic addressed to the Secretary-General

As we begin the new year, I should like to convey to you the renewed expression of my brotherly wishes for your health and for the success of the noble mission that you are carrying out with such distinction at the United Nations.

Allow me to express my deepest gratitude and that of the entire Central African people for the valuable assistance that the United Nations has provided to the Central African Republic, particularly since the adoption of Security Council resolution 1159 (1998) of 27 March 1998, in which the Council authorized the deployment of the United Nations Mission in the Central African Republic (MINURCA).

Taking up where the Inter-African Mission to Monitor the Implementation of the Bangui Agreements (MISAB) left off, MINURCA has made an outstanding contribution to the consolidation of peace and security in Bangui after a long period of unrest and insecurity. The Central African people would also like to thank the United Nations and MINURCA for their effective support for the electoral process and the holding of legislative elections in November and December 1998.

I am pleased to note that significant progress has been made since my letter of 8 January 1998.

This being said, further efforts are required to achieve a lasting peace and true national reconciliation, complete the first stage of financial consolidation and improve the living conditions of the population.

In order that these efforts may be successfully carried out I am requesting the Security Council to renew the mandate of MINURCA until the presidential election, which is scheduled to be held before the end of this year, within the time-frame prescribed in the Constitution. I personally pledge to take concrete steps to ensure that the remaining provisions of the Bangui Agreements are implemented as quickly as possible.

At the institutional level, I intend to ensure that the system of constitutional law is strictly respected and that the State machinery functions smoothly. I am therefore determined to promote a dialogue between the various political groups in the country. With the help of your Special Representative, I shall endeavour to identify solutions that are acceptable to all, in a spirit of cooperation and national reconciliation which is now needed more than ever.

I am convinced that the process of national reconciliation and democratization cannot be pursued until the State regains firm control over public finances, economic activity is revitalized and there is a resumption of

investment. The Government will concentrate on collecting revenue, especially customs revenue, which is a prerequisite for the regular payment of salaries and the repayment of a significant share of the country's arrears by the first quarter of 1999. The anticipated outcome should send a strong message to the international community and enable it to continue providing assistance.

The new Prime Minister, Mr. Anicet Georges Dologuele, formerly the Minister of Finance and the Budget and the key participant in the agreement signed with the Bretton Woods institutions, has just formed a Government of Action to Promote Democracy (GAPD).

This new Government will concentrate on implementing vigorous measures aimed at increasing State income so that the State can honour its obligations, both internal (payment of salaries, pensions and scholarships and provision of basic social services) and external (particularly to the Bretton Woods institutions) within a context of transparent management of the civil service and State enterprises.

On my instructions, the previous Government had started taking steps to consolidate and restructure the financial regimes, privatize State enterprises in the energy, telecommunications and banking sectors and monitor and rehabilitate facilities for the exploitation of natural resources.

This effort succeeded in creating a climate conducive to a resumption of negotiations with international financial institutions and the signing on 22 July 1998 of the Enhanced Structural Adjustment Facility (ESAF) Agreement. This series of measures will be supplemented by others aimed at building the State's administrative capacity and bringing public spending under control.

The new Prime Minister will ensure that the government programme he is about to submit to the National Assembly clearly indicates the methodology that will guide efforts to combat corruption and misappropriation of public funds. He will take particular care to ensure that the ESAF programme concluded with the International Monetary Fund is properly implemented on time. In this he will be assisted by two assistant ministers, who are appointed chiefly on the basis of their competence and their familiarity with the economic reform package.

In addition, the new Minister of Employment, the Civil Service and Vocational Training is responsible for reforming the civil service and ensuring that it has only as many staff as are actually needed by the Administration. This will result in more effective control over staff costs, which constitute the single biggest share of public expenditure.

The Government has begun the necessary negotiations for the privatization of State enterprises, with support from the World Bank; the Banque Internationale Centrafricaine (BICA) has already been successfully privatized.

In the oil sector, bids from corporations interested in purchasing the national oil company, PETROCA, have not yet resulted in a final outcome. I shall endeavour to have an agreement concluded before the end of March 1999.

The new Government will take this matter up immediately and will also deal with the privatization of the electric company, ENERCA, the telecommunications company, SOCATEL, and the Union Bancaire en Afrique Centrale (UBAC) with a view to finding areas of agreement with the purchasers, most of whom were identified in the first quarter of this year. The new Government will also liquidate the 15 State enterprises specified in the 1998 Public Finances Act.

I have also asked the Government to initiate, by 15 February, a national consultation process among all the parties involved in the cotton sector, with a view to promoting this principal export crop.

In the area of public finances, there has been a marked increase in our tax revenue, as recognized by the World Bank.

I have requested the Government to step up measures to increase customs revenue, which has not matched our expectations. I am encouraged by the improvement in the financial situation in 1998 as compared with the situation two years ago, and I shall give the Government the necessary instructions to ensure that it continues its efforts in that connection, while at the same time adhering to the timetable laid down in the Enhanced Structural Adjustment Facility Agreement.

This set of measures will be reinforced by the forthcoming General Meeting on the Economy and Finance.

With respect to the restructuring of the Defence and Security Forces, I have entrusted an ad hoc committee with preparing an overall plan for developing a multi-ethnic, republican army capable of contributing to the national development endeavour, while taking account of the country's budgetary capacity. This committee prepared a report that, among other things, contemplates:

- Restricting the Special Force for the Defence of Republican Institutions (FORSDIR) to the mandate entrusted to it by decree, namely, protecting the republican institutions and high-level authorities of the State;

- Procuring the necessary means for carrying out the respective tasks of the Defence and Security Forces, particularly as regards training, equipment and rehabilitation of infrastructure;

- Redeploying restructured units within the country.

This set of measures is to be accompanied by a policy of constructing military barracks, which are required in order to maintain a military esprit de corps and discipline.

The Committee's report is currently being used as a basis for draft legislation and decrees that are under preparation, with the assistance of the Joint Government/MINURCA Committee, set up for that purpose at your Special Representative's suggestion.

I shall ensure that this draft legislation is given expeditious, favourable consideration by the Government and then transmitted without delay to the National Assembly, for consideration and adoption at the Assembly's regular session in March 1999. The implementation decrees will be promulgated immediately thereafter.

These are appropriate responses to the set of recommendations made by the general meeting on national defence, which are set out in the Bangui Agreements.

I shall also see to it that the implementation timetable set by the Joint Government/MINURCA Committee is adhered to.

All operations relating to policing and maintaining order will be continued and stepped up by the National Police and the Gendarmerie, with the assistance of personnel already trained in the context of the MINURCA civilian police.

This programme of assistance represents a good model for the contribution that MINURCA could make to the establishment of the new Central African army.

In that connection, may I venture to express the hope that the international community will provide assistance.

The National Programme for the Demobilization and Reintegration of the Military (PNDR), initiated with funding from the United Nations Development Programme, has reached the operational phase now that the registration process has been completed. Demobilization proper will begin as soon as the necessary funding required for the National Programme has been obtained from the international community.

I am already giving the Minister for Defence and Restructuring of the Armed Forces the necessary instructions for that purpose.

The three rebellions that took place in 1996 are still having an impact, despite two years of national endeavour supported by the international community. Notwithstanding the stability provided by MINURCA and the Central African Armed Forces (FACA), the situation in the country remains precarious. In addition to that concern, there are the conflicts that are tearing apart a number of neighbouring countries, which are likely to spread throughout the subregion.

Bearing these factors in mind, I undertake to keep my country, which has already been sorely tested by a serious domestic crisis, out of these external conflicts, since I am aware that if these conflicts spill over into the Central African Republic they will exacerbate our current difficulties.

The Central African Republic still needs the support of the international community in order to consolidate these initial results by means of support from MINURCA.

I know that I can count on your understanding, and I appeal to the distinguished members of the Security Council for their understanding as well. Maintaining MINURCA, in accordance with the wishes of all the political forces

and the people of the Central African Republic, is the best bulwark against the resurgence of internal unrest and a level of insecurity that could further destabilize a region that is already in turmoil.

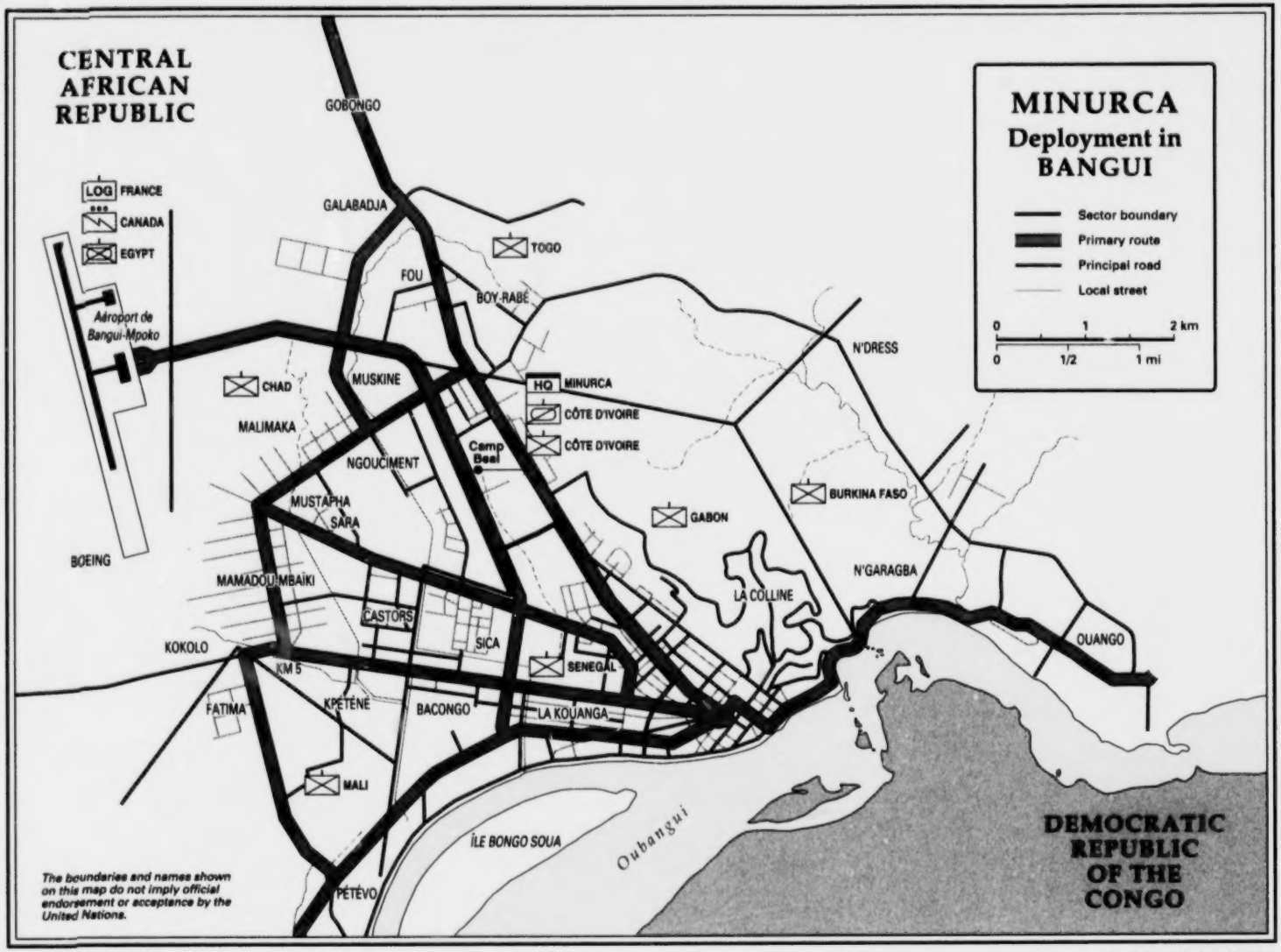
This mission is an irreplaceable instrument, both for the consolidation of national reconciliation and for the smooth operation of the institutions of the Republic.

The Central African Republic is currently endeavouring to leave behind it one of the most difficult periods in its history. I should therefore like to assure you once again that I am determined to proceed with the effective implementation of a whole range of political, structural, economic and military reforms that are required in order to consolidate peace and promote sustainable development.

I therefore once again appeal for your support in the Security Council, to convince the Council of the need to extend the mandate of MINURCA until the presidential election. To that end, and with a view to effectively applying the lessons learned from organizing and holding the recent legislative elections, I shall ensure that the process of preparing for the presidential election begins in February 1999. Assistance from MINURCA and the international community will once again be decisive in ensuring that the election can be held in the context of the necessary calm, transparency and impartiality.

I wish to reiterate to you my gratitude for your kind concern for my country.

(Signed) Ange Félix PATASSÉ



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